



LARRY HOGAN  
GOVERNOR

STATE OF MARYLAND  
OFFICE OF THE GOVERNOR

December 9, 2021

The Honorable Adrienne A. Jones  
Speaker of the Maryland House of Delegates  
H-101 State House  
Annapolis, MD 21401

The Honorable Bill Ferguson  
President of the Maryland Senate  
H-107 State House  
Annapolis, MD 21401

Dear Madam Speaker and Mr. President:

Free and fair elections are the very foundation of American democracy and the most basic promise that those in power can pledge to citizens. Here in Maryland, nonpartisan redistricting reform has been overdue for decades. The current process is nothing less than a form of political subterfuge that has saddled our state with the dubious distinction of being home to the most gerrymandered districts in the nation. Unfortunately, and despite all of my efforts, the Maryland General Assembly has once again failed Marylanders and neglected the will of the people by continuing their long legacy of gerrymandering. Therefore, in accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1 - *Congressional Districting Plan*.

Since taking office, my administration has been actively working to eliminate gerrymandering and restore fairness in our electoral system. During my first year as governor, we established the nonpartisan Maryland Redistricting Reform Commission, whose members traveled the state to hear what Marylanders wanted. The Commission recommended that the state establish an independent commission to draw congressional and legislative districts, eliminating the influence of elected officials and political parties. As a result of those recommendations, I introduced redistricting reform legislation in an effort to remove partisan politics from the redistricting process, which the General Assembly ultimately failed to pass.

Despite the lack of action by the Maryland General Assembly, in January 2021, I took historic action and willingly ceded my authority by forming the first ever Maryland Citizens Redistricting

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Commission, which consisted of an equal mix of Democrats, Republicans, and Unaffiliated members. The Citizens Commission allowed citizens, instead of politicians, to draw congressional and legislative district lines in a fair and impartial manner. The Citizens Commission was tasked with and ultimately created maps that complied with the U.S. Constitution and Voting Rights Act of 1965, respected natural boundaries and geographic integrity, and did not take into account citizens' party affiliation.

Through an exhaustive and comprehensive process, the Citizens Commission held 36 public meetings, consisting of more than 4,000 attendees and more than 1,200 unique contacts. Further, the Citizens Commission provided an online mapping application portal for members of the public to create their own maps and submit draft plans to the Commission for consideration and deliberation. The Citizens Commission also posted each proposed draft map prior to final voting so that the public had the opportunity to comment on them and suggest modifications. This resulted in adjustments to the maps being made based upon feedback from Marylanders.

Unfortunately, lawmakers failed to embrace the Citizens Commission and resorted to their past political machinations by creating the Legislative Redistricting Advisory Commission (LRAC), chaired by Maryland's chief gerrymandering architect and made up of politicians. The LRAC drew maps in secret and provided little time for the public to comment, unlike the Citizens Commission, which conducted all of their working meetings in public so Marylanders could view and comment on their map concepts and drafts. Not surprisingly, the maps that resulted in House Bill 1 were given an 'F' rating for fairness by the Princeton Gerrymandering Project, unlike the Maryland Citizens Redistricting Commission's maps, which received an 'A' rating for fairness.

One redistricting requirement is compliance with the Voting Rights Act. Both the Citizens Commission plan and the legislature's plan create two majority Black voting age population districts. However, the Citizens' plan's next closest majority Black district has a 47.1% Black voting age population, whereas the legislature's next closest majority Black district is only 44.1%. Moreover, the Citizens Commission plan creates a district with a 24.1% Hispanic voting age population, while the largest Hispanic voting age population under the legislature's plan is only 17.8%.

In total, the Citizens' plan has four districts in which minorities constitute over 50% of the voting age population, whereas the LRAC plan only has three districts in which minorities constitute a majority of voting age population. As Maryland's minority population is slightly over 50%, according to the most recent 2020 Census, true representation of Maryland would allow minority voters to elect a candidate of their choice in at least 50% of the districts.

House Bill 1 will join the maps of recent election cycles that have resulted in numerous lawsuits. Maps were invalidated in 1994 for failing to create a majority-minority district as required by the Voting Rights Act of 1965. Again, maps were overturned in 2002 for repeated crossings of lines between Baltimore City and Baltimore County that improperly prioritized political goals over constitutional congruence standards.

The fight for free and fair elections in our state is not just a fight between the right and left; this is a fight between right and wrong. We must rebuild a democracy where voters pick their elected representatives—not the other way around. I will not stand idly by and allow this unfair practice to continue to dilute and disadvantage the voices and rights of millions of Marylanders.

For these reasons, I have vetoed House Bill 1.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lawrence J. Hogan, Jr.", written in a cursive style.

Lawrence J. Hogan, Jr.  
Governor